

MINUTES OF THE CONFERENCE CALL MEETING
BOARD OF MASSAGE THERAPY

April 16, 2021

1. CALL MEETING TO ORDER AND ROLL CALL

The conference call meeting of the Board of Massage Therapy was called to order by Steven Carper, Vice-Chair, at 9:00 a.m. in the Licensure Unit, Conference Room LU-1, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. In accordance with Neb. Rev. Stat. § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were e-mailed to the Board members and other interested parties, posted on the DHHS web site at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>, and posted in the Licensure Unit on 4.6.2021.

The following members answered roll call:

Members Present on call (3):

Steven Carper, Vice-Chair (on call)
Mallory Carstens, Member (on call)
Michele Helaney, Secretary (on call)

Members Absent (0):

Brian Allison, resigned (moved to San Diego, CA)

Others Present (6):

Kris Chiles, Program Manager, Licensure Unit (in LU-1)
Teresa Hampton, DHHS Attorney (on call)
Anna Harrison, DHHS Compliance Monitor (on call)
Natalee Hart, Assistant Attorney General (in LU-1)
Trevor Klaassen, Investigations (on call)

2. ADOPTION OF AGENDA

MOTION: Helaney moved, seconded by Carstens, to adopt the agenda. A voice vote was taken. Voting aye: Carper, Carstens, Helaney (3). Voting nay: None (0). Absent: None (0). Motion carried.

3. APPROVAL OF MINUTES

MOTION: Carper moved, seconded by Carstens, to approve the minutes of 12.5.2021. A voice vote was taken. Voting aye: Carper, Carstens, Helaney (3). Voting nay: None (0). Absent: None (0). Motion carried.

4. UPDATES AND REPORTS

- a. 2021 Legislation (LB 211, 83, 112, 263, and other massage therapy related)

LB 211: Adopt the Reflexologist Registration Act

Brianna Cuddy with NAMTA reported that amendment 562 was introduced with no consultation; NAMTA offered a different amendment; the bill has not moved forward.
3.15.2021 – General File.

LB 83: Change public meeting provisions and provide for virtual conferencing under the Open Meetings Act.
4.15.2021 - Passed on Final Reading with Emergency Clause.

LB 112: Require members of the public to be allowed to speak at each meeting subject to the Open Meetings Act.
1.27.2021 – Hearing.

LB 263: Requires occupational boards to issue certain credentials based on credentials or work experience in another jurisdiction.
2.3.2021 – Hearing.

b. Nebraska Chapter of the American Massage Therapy Association (NAMTA) <http://www.amtane.org>

Cuddly reported the following:

- This week they are holding a 70th Anniversary planning meeting;
- AMTA has stated the state associations cannot have in person CE sessions until this fall;
- They will be considering introducing statutory language for a limited temp license for reciprocity. Main goal is to open opportunities for licensees in other states to get a license via reciprocity; and
- They sent a survey to school directors, results are forthcoming.

c. Federation of State Massage Therapy Boards (FSMTB) <https://www.fsmtb.org>

The U.S. Department of Defense has selected the massage therapy profession to receive technical assistance from the Council of State Governments to develop an interstate compact for occupational licensing portability. FSMTB submitted an application for assistance with establishing a compact, which will simplify moving from state to state.

FSMTB Annual Meeting is scheduled for 10.7-9.2021, in Charlotte, NC.

d. Statistics: Examinations, Licensing, Administrative Penalties, Renewals, Disciplinary and Non Disciplinary Information, and School Report

1 probation with civil penalty

7 passed the jurisprudence examination for reciprocity / 0 failed

2 passed the jurisprudence examination as a term of probation / 1 failed

9 passed the FSMTB/MBLEx examination / 0 failed

License stats:

EO 20-27 Provisional Licenses:	1
Massage Therapists:	1526
Establishments	620
Mobile Establishments:	3
Schools:	8
Temporary Massage Therapist:	2

9:26 a.m. Carla Cue, Investigations, entered the call

9:26 a.m. Hampton exited the call

5. CLOSED SESSION

Investigative Reports and Other Confidential Information

MOTION: Carstens moved, seconded by Helaney, to enter into closed session at 9:45 a.m. for the purpose of hearing discussions of an investigative/confidential nature and for the prevention of needless injury to the reputation of the individuals. Carper repeated the motion and purpose. A roll call vote was taken. Voting aye: Carper, Carstens, Helaney (3). Voting nay: None (0). Absent: None (0). Motion carried.

9:45 a.m. Carper exited the call (conflict of interest)

9:50 a.m. Carper re-entered the call

9:49 a.m. Klaassen and Cue exited the call

6. OPEN SESSION

Review, Recommendations, and Report Out (Applications, Mail Ballot Voting Results, and Reinstatements)

Members agreed to return to open session at 10:21 a.m.

10:21 a.m. Harrison exited the call

Longevity Wellness and Massage – initial

(Unlicensed operation)

MOTION: Helaney moved, seconded by Carstens, to recommend a 6-month probation, with the owner required to successfully pass the jurisprudence examination. A roll call vote was taken. Voting aye: Carper, Carstens, Helaney (3). Voting nay: None (0). Absent: None (0). Motion carried.

Leah Wayman – initial

(Convictions)

MOTION: Helaney moved, seconded by Carstens, to recommend issuance with no terms or conditions. A roll call vote was taken. Voting aye: Carper, Carstens, Helaney (3). Voting nay: None (0). Absent: None (0). Motion carried.

Lindsey McCallister

(Preliminary Conviction Review)

MOTION: Helaney moved, seconded by Carstens, that the convictions, as listed on the application, would not disqualify the applicant from obtaining a massage therapy license. This decision does not guarantee licensure as a massage therapist. A roll call vote was taken. Voting aye: Carper, Carstens, Helaney (3). Voting nay: None (0). Absent: None (0). Motion carried.

7. ADJOURNMENT

The next meeting is scheduled for June 4, 2021 and will be set as a conference call. There was no further business, Carper declared the meeting of the Board of Massage Therapy adjourned at 10:26 a.m.

Submitted by Mallory Carstens, Secretary
Board of Massage Therapy

Minutes drafted by Licensure Unit